

## MIAMI TOWNSHIP BOARD OF TRUSTEES

APRIL 21, 2015

The Miami Township Board of Trustees met in regular session on Tuesday, April 21, 2015 at 7:00 PM. Trustee Mary Makley Wolff called the meeting to order and announced the Honor Guard will present the colors and led the Pledge of Allegiance. The invocation was given by Mary Makley Wolff. Fiscal Officer Mr. Ferry called the roll. Attending were Trustees Mary Makley Wolff, Karl Schultz and Ken Tracy. Mr. Tracy made a motion to approve the minutes of the March 17, 2015 business meeting, the March 23, 2015 special meeting, the March 24, 2015 special meeting and the April 13, 2015 work session, seconded by Mr. Schultz with all voting "AYE".

**Correspondence:** None

**New Business:** Mr. Fronk noted they were taking the agenda out of order to discuss a personnel item. Mr. Fronk recommended Daniel Berkebile, Jeffery Childers and Ross Pawlak be promoted from Firefighter/Paramedic to Station Lieutenant with an adjusted pay rate of \$30.03 per hour effective April 26, 2015.

Mr. Tracy moved to approve this personnel issue as submitted, seconded by Mr. Schultz with all voting "AYE".

**Proclamations and Special Presentations:** Chief Kelly noted the department has not promoted anyone since 1999 and there was a lengthy process with six months of rigorous testing, with 20 candidates, and three have made the cut for promotion. Chief Kelly asked Mr. Berkebile, Mr. Childers and Mr. Pawlak to come forward with their families. Chief Kelly also asked the Trustees, Fiscal Officer, Mr. Fronk and Mr. Braun to come down. Each Lieutenant introduced their family. Chief Kelly explained the pinning of the badge ceremony and a member of each family removed the old badge and pinned on the new badge. There was also a presentation of the new lieutenant fire helmet. Joe Braun, Law Director, administered the Oath of Office to Lt. Berkebile, Lt. Childers and Lt. Pawlak. Chief Kelly stated there will be a small reception after the Trustee meeting.

**Department Reports:** A representative of each department presented a report of activities during the month of March 2015.

Community Development	Mr. Fronk
Finance	Mr. Ferry
Fire/EMS	Chief Kelly
Police	Chief Madsen
Recreation	Mrs. Thibodeau
Service	Jeff Weigel
Administration	Mr. Fronk

**Old Business:** Mr. Fronk explained the over costs to the Wards Corner/Todd Farm Lane project noting a resolution was adopted in November 2012 for the project with lower cost. Mr. Fronk recommended, in the future, not to adopt a resolution for TID projects until the final costs are secured. Mr. Fronk recommended the Board adopt Resolution 2015-10 a resolution amending Resolution 2012-51 appropriating funds for the construction of roadway improvements along Wards Corner Road west of I-275.

Mr. Schultz made a motion to adopt **Resolution 2015-10** a resolution amending Resolution 2012-51 appropriating funds for the construction of roadway improvements along Wards Corner Road west of I-275, seconded by Mr. Tracy with all voting "AYE".

**New Business:** Mr. Tracy made a motion to pay the bills of the Township with 293 checks numbered 120514 - 120807 and 20 electronic checks numbered 543 - 563 for the total amount of \$1,634,947.53 plus payroll and payroll taxes for the week of 03/14/2015 in the amount of \$373,050.76, payroll and payroll taxes for the week of 03/28/2015 in the amount of \$352,391.26 and payroll and payroll taxes for the week of 04/11/2015 in the amount of \$363,777.54, seconded by Mr. Schultz with all voting "AYE".

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Mr. Fronk advised of the need for a then and now certificate in the amount of \$169,384.90.

Mr. Schultz made a motion to adopt **Resolution 2015-12** authorizing the Township Fiscal Officer to issue and certify a Then and Now Certificate for payment of various expenditures totaling \$169,384.90, seconded by Mr. Tracy with all voting "AYE".

Mr. Fronk addressed the Board regarding the following personnel issues: In the Fire/EMS Department he is recommending the Board accept the resignation of Shane Mathews from his position as a part-time firefighter/paramedic effective immediately and Joseph Elliott as a part-time firefighter/paramedic effective May 1, 2015.

Mr. Tracy moved to approve the Fire/EMS personnel action as presented, seconded by Mr. Schultz with all voting "AYE".

In the Service Department, Mr. Fronk is recommending the Board offer conditional offers of full-time employment to Eric Wiederhold, Justin Leever and Timothy Berchem as Maintenance Workers and to grant employment to Brad Roetelle as a part-time Maintenance Worker at \$10.71 per hour retroactive to 3/18/15 and to Jacob Nause as a part-time Maintenance worker at \$10.71 per hour effective 3/14/15.

Mr. Schultz moved to approve the Service Department personnel action as presented, seconded by Mr. Tracy with all voting "AYE".

In the Recreation Department, Mr. Fronk is recommending the Board offer conditional employment to Sarah Fatute as a Recreation Assistant.

Mr. Tracy moved to approve the Recreation Department personnel action as presented, seconded by Mr. Schultz with all voting "AYE".

In the Administration Department/Community Development, Mr. Fronk is recommending the Board reassign Mr. Jim Brockman from full-time Zoning Field Inspector to part-time Zoning Field Inspector at a pay rate of \$18.35 effective May 1, 2015.

Mr. Schultz moved to approve the Administration/Community Development Department personnel action as presented, seconded by Mr. Tracy with all voting "AYE".

In the Police Department, Mr. Fronk is recommending the Board reassign Ms. Aimee Reynolds from part-time Maintenance Worker to full-time Maintenance Worker at a pay rate of \$15.63 per hour effective April 26, 2015 with a six month probationary period. Ms. Reynolds' pay and benefits will be split between the Police Department (75%) and Administration (25%).

Mr. Schultz moved to approve the Police Department personnel action as presented, seconded by Mr. Tracy with all voting "AYE"

Mr. Fronk advised the Board that the Monroe City Fire Department, in Butler County, is interested in acquiring two of our electric cord reels that were previously marked for disposal. The Fire Department is willing to transfer both reels for the price of \$40 each. Both reels are in excess of 20 years old and are of no value to our apparatus. Mr. Fronk is recommending the Board adopt Resolution 2015-13 a resolution disposing of surplus equipment and authorizing the sale of surplus equipment to another political subdivision and dispensing with the second reading.

Mr. Tracy made a motion to adopt **Resolution 2015-13** a resolution disposing of surplus equipment and authorizing the sale of surplus equipment to another political subdivision and dispensing with the second reading.

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Mr. Fronk advised the Police Department, Fire & EMS Department and Administration are in possession of miscellaneous surplus equipment that is no longer necessary for its operation or is obsolete. Mr. Fronk is recommending the board adopt Resolution 2015-14 a resolution authorizing the disposal of surplus property and authorizing the sale of unneeded or obsolescent personal property no longer necessary for Township use by auction pursuant to Section 505.10 of the Ohio Revised Code.

Mr. Schultz made a motion to adopt **Resolution 2015-14** a resolution authorizing the disposal of surplus property and authorizing the sale of unneeded or obsolescent personal property no longer necessary for Township use by auction pursuant to Section 505.10 of the Ohio Revised Code, seconded by Mr. Tracy with all voting "AYE".

Mr. Fronk advised of the need to renew a street lighting district for Reserve at White Farm Subdivision via resolution.

Mr. Tracy made a motion to adopt **Resolution 2015-15** a resolution providing for the procurement of a street lighting system, dispensing with the second reading and declaring an emergency for Reserve at White Farm Subdivision, seconded by Mr. Schultz with all voting "AYE".

Mr. Fronk advised the County Engineer is requesting a resolution be adopted by the Board supporting the lowering of the speed limit on Paxton Guinea Road. Mr. Fronk is recommending the Board adopt Resolution 2015-16 a resolution lowering the speed limit on certain streets in Miami Township.

Mr. Schultz made a motion to adopt **Resolution 2015-16** a resolution lowering the speed limit on certain streets in Miami Township, seconded by Mr. Tracy with all voting "AYE".

Mr. Fronk presented two out of Township travel requests. In the Fire & EMS Department to send Harold Thiele to the Motorola APX Customer Programming Software Training in Plantation, Florida from April 27 through April 30, 2015 at a cost not to exceed \$1,500.00. This training is conducted for the Clermont County Fire Chiefs group. This is a train the trainer program on the new radio software that Clermont County is moving to, for all radio communication. Also, to send Police Officer Brian Mehne to Honor Guard training in Goshen, Indiana from September 25 through October 2, 2015 at a cost not to exceed \$825.00. Our Honor Guard is currently one member short.

Mr. Tracy moved to approve the Fire Department and Police Department out of Township travel requests as presented, seconded by Mr. Schultz with all voting "AYE".

**Public Comment:** Dr. William York of 897 Augusta Blvd., representing the Reserves at the Oasis homeowners association, came forward to address the Board on the condition of the streets in their subdivision. Mr. York asked the Board to consider repaving their streets as they have not been repaved since the subdivision was built in 1997. Mr. Jeff Weigel of the Service Department stated there is a section of Augusta Blvd. that is in poor shape and they also will be taking care of the potholes.

Mr. Rick Leavens of 893 Blackpine Drive came forward to address the Trustees regarding distracted drivers and asked the Trustees to look into stiffer fines for distracted drivers or drivers who are texting while driving. Joe Braun, Township Law Director, stated the State of Ohio does have laws regarding texting and driving. Mr. Braun suggested Mr. Leavens contact our State Representative, John Becker or State Senator Joe Uecker regarding parameters of enforcing. Chief Sue Madsen explained the Township does have a no texting and driving campaign and explained the campaign.

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Ms. Jane Overbeck of 431 Pinebluff Drive came forward to advise the Board of the noise coming from Irvine Wood Recovery. Ms. Overbeck also stated they are hearing gunshots close to the bike trail and the Little Miami River. The Board explained the Township is in litigation regarding Irvine and cannot discuss the noise issue at this time. With regard to the gunshots being heard, people are allowed to shoot guns as long as they do it within the law. Mr. Joe Braun, Township Law Director, stated he and Mr. Fronk, Township Administrator, have responded to resident concerns by monitoring the noise with a sound meter and some of the increased noise may be a result of Irvine having to lower the piles of mulch, to comply with fire code, which may have helped as a noise barrier, violations have been corrected and they are continuing through the courts.

Ms. Carrie Geiger of 9 Rose Lane Farm Drive came forward with concerns of increased noise she believes is coming from Irvine Wood Recovery. Ms. Geiger feels the increase in the intensity of noise would mean increase in the intensity of the use of the property therefore, requiring a new site plan approval and another zoning certificate issued. Mr. Fronk advised Ms. Geiger they could meet and he would explain the zoning code. Ms. Geiger had concerns of Irvine Wood Recovery not having the proper zoning permits to operate their grinding business. Mr. Fronk stated this is all part of the litigation and cannot discuss it.

Mr. Bill George of 403 Pinebluff Drive came forward with concerns of increased noise and for longer periods of time from Irvine Wood Recovery. Mr. George also had concerns of gunshots in Miamiville that went on for over 15 minutes after 11:30 p.m. Mr. George is concerned of kids on the bike path with the gunfire so close. The Board advised Mr. George to speak with their representatives to look into laws being changed at the state level. Chief Madsen advised they investigate every call they are dispatched to. If there is no address to go to they have to try to listen for the noise and determine where it is coming from to investigate it. It is not always where the complainant thinks it is coming from and is sometimes very difficult to locate. Mr. George asked about the hours of operation for Irvine and Mr. Fronk stated there are no restrictions on his hours of operation.

Mr. William Saum of 6208 Hickory Ridge came forward to echo the concerns of increased noise from Irvine Wood Recovery and feels their quality of life has gone backwards because of the noise.

Ms. Rebecca Miller of 407 Pinebluff came forward with the same concerns of the noise from Irvine Wood Recovery noting they can't sit outside in peace and quiet.

Ms. Jenny Vonasek of 405 Pinebluff came forward to with concerns of the gunshots and a copy of a police report of the response to the gunshots. Chief Madsen stated she will check into the report that was filed. Ms. Vonasek also mentioned the increased noise.

Mr. Jim Collins of 421 Pinebluff came forward to state he feels the gunshots are coming from Carter Company and there are no barriers to keep the bullets from going across property lines and this is not safe. Mr. Collins also noted the loud noise during the day.

Mr. Schultz moved to go into Executive Session to discuss the discipline of a public employee pursuant to Section 121.22(G)(1) of the Ohio Revised Code and to discuss pending or imminent litigation pursuant to Section 121.22(G)(3) of the Ohio Revised Code, seconded by Mr. Tracy with all voting "AYE".

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Mr. Schultz made a motion to come out of Executive Session, seconded by Mr. Tracy with all voting “AYE”.

With no further business to come before the Board the meeting was adjourned at 10:00 p.m.

ATTEST: \_\_\_\_\_  
Eric C. Ferry, Fiscal Officer

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Mary Makley Wolff, Chairperson